



Anti-social Behaviour, Crime and Policing Act 2014

2014 CHAPTER 12

PART 11

POLICING ETC

Personal samples and DNA profiles

146 Retention of personal samples that are or may be disclosable

- (1) In section 63U of the Police and Criminal Evidence Act 1984 (fingerprints and samples etc: exclusions from destruction rules)—
- (a) in subsection (5) (material that is or may become disclosable to the defence), for “Sections 63D to 63Q, 63S and 63T” there is substituted “Sections 63D to 63T”;
 - (b) after that subsection there is inserted—
 - “(5A) A sample that—
 - (a) falls within subsection (5), and
 - (b) but for that subsection would be required to be destroyed under section 63R,must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.
 - (5B) A sample that once fell within subsection (5) but no longer does, and so becomes a sample to which section 63R applies, must be destroyed immediately if the time specified for its destruction under that section has already passed.”
- (2) In Schedule 8 to the Terrorism Act 2000 (detention of terrorist suspects etc), in paragraph 20I (substituted by paragraph 1 of Schedule 1 to the Protection of Freedoms

Status: This is the original version (as it was originally enacted).

Act 2012) (fingerprints and samples etc: exclusion from destruction rules of material that is or may become disclosable to the defence)—

- (a) for “Paragraphs 20A to 20F and 20H do not apply to paragraph 20A material” there is substituted “Paragraphs 20A to 20H do not apply to material”;
- (b) at the end of that paragraph (which becomes sub-paragraph (1)) there is inserted—

“(2) A sample that—

- (a) falls within sub-paragraph (1), and
- (b) but for that sub-paragraph would be required to be destroyed under paragraph 20G,

must not be used other than for the purposes of any proceedings for the offence in connection with which the sample was taken.

- (3) A sample that once fell within sub-paragraph (1) but no longer does, and so becomes a sample to which paragraph 20G applies, must be destroyed immediately if the time specified for its destruction under that paragraph has already passed.”